

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 5/4/2020
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GRACIELA DONCOUSE, on behalf of herself and:  
all others similarly situated, :

Plaintiff, :

1:19-cv-04227-GHW

-against- :

ORDER

NEW YORK HEALTH & RACQUET CLUB :  
FOUNDATION, INC., and NEW YORK :  
HEALTH CLUB, INC., :

Defendants. :  
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GREGORY H. WOODS, United States District Judge:

On February 13, 2020, Dkt No. 32, the Court issued an order conditionally discontinuing this action. Pursuant to the terms of that order, the plaintiff was provided the option to apply for restoration of the action to the active calendar of the Court by the date that was 30 days following the issuance of the order. In accordance with the terms of that order, if the plaintiff failed to apply for restoration of the case by that date, the case would be automatically dismissed with prejudice. The Court extended that deadline on March 12, 2020, Dkt No. 34, and again on April 13, 2020. Dkt No. 36.

By letter dated May 4, 2020, Dkt No. 37, the parties have requested that the Court extend the deadline for the plaintiff to apply for restoration of the case to the Court's active calendar, or, alternatively, for the parties to submit a stipulation of settlement and dismissal.<sup>1</sup> That application is GRANTED. Accordingly, the deadline for the plaintiff to apply for restoration of the case to the

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<sup>1</sup> As explained in Rule 4(D) of the Court's Individual Rules of Practice in Civil Cases, the Court will not retain jurisdiction to enforce confidential settlement agreements. If the parties wish that the Court retain jurisdiction to enforce the agreement, the parties must place the terms of their settlement agreement on the public record.

Court's active calendar, or, alternatively, for the parties to submit a stipulation of settlement and dismissal, is extended to May 26, 2020.

The Clerk of Court is directed to terminate the motion pending at Dkt No. 37.

SO ORDERED.

Dated: May 4, 2020

  
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GREGORY H. WOODS  
United States District Judge